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STATE FOR DRL/IL TDANG, WHA/CAR CWARD
DEPARTMENT OF LABOR FOR DOL/ILAB TMCCARTER,

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SUBJECT: DOMINICAN REPUBLIC - UPDATE ON WORST FORMS OF
CHILD LABOR

REF: STATE 149662

¶1. As requested Reftel, following is an update on host
government efforts in combating the worst forms of child
labor (WFCL).

Laws and Regulations Proscribing WFCL

¶2. The law prohibits employment of children younger than 14
and places restrictions on employment of children under age
¶16. Regulations limit working hours of those between the ages
of 14 and 16, prohibit employment of those under the age of
18 in hazardous occupations, in establishments serving
alcohol, and limit nighttime work. Labor code Article 245
sets the country's minimum age of employment.

¶3. Article 25 of the Labor Code prohibits forced labor, child
prostitution and child pornography. The government passed an
additional law this year criminalizing the electronic
dissemination, sale, and/or purchase of child pornography.
The minimum age to join the military is 16 years old.

¶4. The country ratified Convention 182. The government
passed resolution 52-2004 that lists occupations that are
considered to be the worst forms of child labor.

Regulations for implementation and enforcement

¶5. Fines and legal sanctions may be applied to firms
employing underage children. While the government effectively
enforces these regulations in the formal sector, regulations
have proved inadequate in deterring child labor in the
informal sector which lies beyond regulatory reach.
Complaints are investigated by Secretariat of Labor (SET)
inspectors. The SET employed 191 labor inspectors this year
compared to 146 labor inspectors in 2006. According to the
Secretariat's statistics, they conducted roughly 69,000 total

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inspections as of November. These routine labor inspections
included examination of work sites for indications of child
labor. These inspections resulted in 10 findings of child
labor violations, down from 15 the previous year. The
Secretariat offered training for its inspectors to

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standardize criteria regarding child labor. They also
offered, in collaboration with the International Labor
Organization - International Plan to Eliminate Child labor
(ILO-IPEC), a workshop for labor inspectors in San Juan de la
Maguana about child labor.

Social programs to prevent/withdraw children from the WFCL

¶16. The government is collaborating with ILO-IPEC to implement the time-bound Program to Eradicate the Worst Forms of Child Labor. Phase Two of the program, budgeted at 25 million pesos (approximately \$750,000 USD) and targeting over 5,000 at risk youth, began December 3. Efforts will be focused in greater Santo Domingo, the neighboring province of San Cristobal, the southeast provinces of Azua, San Juan de la Maguana, and Barahona, and the province of Santiago. Additionally, DevTech Systems will lead an association of nine NGOs and the Ministries of Youth, Education and Labor in a program to combat the worst forms of child labor. The program, entitled "Education/Youth Employment Public Private Partnerships," budgets nearly \$5,000,000 USD over four years and targets roughly 8,500 children aged 6 to 17 that DevTech estimates are at risk for or involved in exploitative labor. Efforts will be directed toward the agricultural sector (on the Haitian border, in the South, East and Northeast Cibao region) and the urban informal sector, as well as toward those children employed as domestic workers and those engaged in or at risk for illicit work (e.g., drug trafficking, sexual exploitation) in San Francisco de Macoris, Santo Domingo, Santiago, Puerto Plata, and the tourist and beach areas of Samana, Las Terrenas, Boca Chica and the Eastern coast.

Comprehensive Policy to Eliminate worst forms of child labor

¶17. Last year the National Steering Committee against Child Labor implemented a National Strategic Plan to Eliminate the Worst Forms of Child Labor. The Plan sets objectives, identifies priorities, and assigns responsibilities so that the number of child laborers in exploitative environments can

be significantly reduced by 2016. It creates municipal and provincial committees throughout the country tasked with developing strategies and initiatives to combat child labor locally. As part of the Plan, the country's Agricultural Bank has included a clause in its standard contract forbidding loan recipients from using child labor in their fields.

¶18. Education is free, universal, and in theory compulsory for all minors through the eighth grade. Although the Ministry of Education reported a 97 percent enrollment rate in grades one through eight in 2004, a government study estimated that the average grade level achieved by children in public schools was the fifth grade in rural areas and the sixth grade in urban areas.

Is the country making progress toward eliminating the WFCL?

¶19. Yes. The Dominican Government continues to work actively with non-governmental organizations like the ILO and contractor DevTech Systems to identify child laborers and remove them from exploitative environments. The government works actively with civil society and with the media to develop and implement prevention campaigns targeting the country's youth. One concern, however, is the large number of children without documentation. The Central Electoral Board (JCE) estimates that as much as twenty percent of the general population are undocumented. Children lacking documentation can legally attend school only through the fifth grade.

¶10. As last year's Report notes, there has not been a comprehensive, focused study on the number of child laborers in the Dominican Republic since 2000. The Central Bank statistics department has semi-annual reports available in the following links.

[http://www.bancentral.gov.do/estadisticas.asp](http://www.bancentral.gov.do/estadisticas.asp?a=Mercado%20de%20Trabajo)
[http://www.bancentral.gov.do/cgibin/RpWebEngine.exe](http://www.bancentral.gov.do/cgibin/RpWebEngine.exe/PortalAction?&MODE=MAIN&BASE=ENFTNUEVO&MAIN=WebServerMain.inl)
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[ENFTNUEVO&MAIN=WebServerMain.inl](http://www.bancentral.gov.do/cgibin/RpWebEngine.exe/PortalAction?&MODE=MAIN&BASE=ENFTNUEVO&MAIN=WebServerMain.inl)

¶11. According to the 2000 National Survey of the Labor Force (ENTI) 41 percent of working children can be found in services, followed by trade (21), agriculture (19), manufacturing industries (11) and other (8). Post has not encountered cases of children working in slavery, practices similar to slavery, debt bondage, serfdom or forced compulsory labor. Government officials and non-governmental organizations state that minors are likely trafficked internally for sexual exploitation, but neither the government nor NGOs have been able to demonstrate concrete cases of trafficking.
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